



County of Saginaw  
70<sup>th</sup> District State Court

111 S. Michigan Avenue  
Saginaw, Michigan 48602  
Telephone (989) 790-5363 / Fax (989) 790-5589  
[www.saginawcounty.com/districtcourt](http://www.saginawcounty.com/districtcourt)



DISTRICT JUDGES

Terry L. Clark  
A.T. Frank  
M. Randall Jurrens

COURT ADMINISTRATOR

Cheryl B. Jarzabkowski

DISTRICT JUDGES

Kyle Higgs Tarrant  
M.T. Thompson Jr.

October 29, 2013

Honorable Rick Jones, Chairman  
Senate Judiciary Committee  
915 Farnum Building  
125 W. Allegan  
Lansing, Michigan 48933

Re: SB 653 / Reduction of Judicial Resources  
Saginaw County District Court

Dear Chairman Jones:

First, let me express my appreciation for allowing me to comment on SB 653 which, among other things, proposes elimination of one of six district judgeships in Saginaw County (which, with an existing vacancy due to a retirement, would have an immediate effect).

As you know, SB 653 is consistent with the State Court Administrative Office's recent Judicial Resources Recommendations (JRR). However, with due respect, the JRR provides an incomplete picture of what is happening in Saginaw County, and there are persuasive reasons to retain all six district court judgeships:

- ***District Court Functions Alone Require Five Judges.*** According to a 2010 weighted caseload study, **5.01 judges are required to perform basic district court functions** (e.g. arraignments, preliminary exams, misdemeanors, traffic, small claims, landlord-tenant, and civil cases under \$25,000). However, the JRR **does not take into account the significant circuit court functions we perform.**

Accordingly, logic dictates that more than 5 judges are necessary to perform additional functions.

- ***Felony Docket Assignments.*** In addition to our own district court docket, **all district judges assist circuit court** to address a serious backlog by retaining

felony cases for trial, sentencing and post-judgment proceedings where the highest offense is OWI 3<sup>rd</sup>, DV 3<sup>rd</sup>, and/or marijuana possession 2<sup>nd</sup>.

This has largely contributed to the reduction of circuit court's number of "delayed" felony cases (i.e. "open" cases older than 301 days) from 155 to 12.

If Saginaw County is reduced to only 5 district judges (i.e. the bare minimum to manage its own docket), there will be insufficient judicial resources to perform circuit court docket control (inevitably resulting in recurrence of the unacceptable felony backlog existing prior to district judges' intervention).

- ***Business Court Assignments.*** Recent legislation, *MCL 600.8031 et seq.*, requires that Saginaw County establish a "business court" to handle all circuit court business and commercial disputes. Unique to the entire state, **a district judge has been appointed by the Supreme Court to serve as the circuit court's business court judge** (myself), thus reducing availability to perform district court functions.

So, if our district court bench is reduced to only 5 judges, with one serving as circuit court's business court judge, the court will be effectively left with 4± judges dedicated to perform basic district court functions that alone require 5.01 judges (much less assist in felony docket control).

- ***Specialty Courts.*** Responding to Governor Snyder's call to action last year, district judges have also established other specialty courts (**servicing both district court misdemeanor and circuit court felony cases**): (1) Judge Frank operates a mental health court, and (2) Judge Tarrant operates a veterans court.

Specialty courts are, by definition, time-consuming operations; but the benefits to the participating defendants are potentially life-changing.

If we are reduced to 5 district judges (all engaged in circuit court felony work, and one largely diverted to circuit court's business court) there will be insufficient judicial resources to conduct both specialty courts as well as maintain district court's own docket that alone requires 5.01 judges.

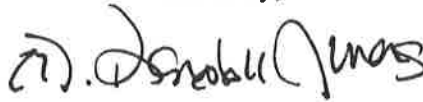
In summary, retaining 6 district judges will allow us to remain active in assisting with circuit court docket control (where additional resources are needed to cope with Saginaw's major crime problem), more effectively manage circuit court's business/commercial dispute docket, as well as service our newly created specialty courts, while still maintaining district court's traditional functions (which alone require 5.01 judges).

Ultimately, the goal must be the efficient delivery of quality judicial services to the citizens of the State of Michigan. The proposal to eliminate a district judgeship in Saginaw County, based on an incomplete picture, will produce the opposite.

Whatever the merits of SB 653 for other counties, I respectfully request deletion of the portion that would eliminate a Saginaw County District Judge; and, in this regard, respectfully offer the attached amendments for your consideration.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Randall Jurens". The signature is written in a cursive, flowing style with a large initial "M" and a long, sweeping underline.

M. Randall Jurens,  
Chief Judge

Attachment

**RESOLUTION "B"**

**OCTOBER 15, 2013  
BOARD OF COMMISSIONERS  
COUNTY OF SAGINAW**

**RE: RESOLUTION IN SUPPORT OF THE PRESERVATION OF JUDICIAL RESOURCES**

At a regular meeting of the Board of Commissioners of the County of Saginaw, State of Michigan, held in the City of Saginaw on the 15th day of October, 2013 at 5:00 o'clock p.m.

**PRESENT** - *Katie A. Greenfelder, Cheryl M. Hadsall, Michael J. Hanley, Kirk W. Kilpatrick, Dennis H. Krafft, Susan A. McInerney, Carl E. Ruth, Charles M. Stack, James G. Theisen, Robert M. Woods, Jr., Patrick A. Wurtzel*

**ABSENT** – *None*

Commissioner Hadsall offered the following resolution and moved its adoption. The motion was seconded by Commissioner McInerney:

**WHEREAS**, the State Court Administrative Office's recent Judicial Recommendations Report (JRR) recommended the elimination of a judgeship on the 70<sup>th</sup> District Court, reducing the number of judges from 6 to 5; and

**WHEREAS**, according to a 2010 weighted caseload study, 5.01 judges are required to perform basic District Court functions (e.g. arraignments, preliminary exams, misdemeanors, traffic, small claims, landlord-tenant, and civil cases under \$25,000); and

**WHEREAS**, in addition to the basic functions provided by District Court, three (3) specialty courts have been added to the Saginaw County court system that are operated by District Court judges, being Mental Health Court, Veterans Court and Business Court; and

**WHEREAS**, additionally, pursuant to the county courts' concurrent jurisdiction plan, District Court judges are also being assigned Circuit Court felony cases for all purposes, including trial and sentencing; and

**WHEREAS**, Saginaw is ranked number three (#3) in the nation by recent FBI statistics for violent crimes; and

**WHEREAS**, Saginaw's Circuit Judges, on average, have been trying more cases than any other Circuit in Michigan's 83 counties over the past three years; and

**WHEREAS**, if Saginaw County is reduced to five (5) District Court judges (all engaged in Circuit Court felony work and one largely diverted to the Circuit Court's Business Court) there will be insufficient judicial resources to conduct the specialty courts as well as maintain District Court's own docket that requires 5.01 judges; and

**WHEREAS**, retaining six (6) District Court judges will allow continued assistance with Circuit Court docket control (where additional resources are needed to cope with Saginaw's major crime problem), more effectively manage Circuit Court's business/commercial dispute docket, as well as service the newly created specialty courts while still maintaining District Court's traditional functions.

**NOW, THEREFORE, BE IT RESOLVED THAT:**

1. The Saginaw County Board of Commissioners, being fully apprised of the foregoing facts, is opposed to the elimination of a judgeship on the 70<sup>th</sup> District Court; and, further,

2. The Saginaw County Board of Commissioners hereby requests that the current judgeship vacancy in the 70<sup>th</sup> District Court be filled by Governor Snyder.

Respectfully submitted,

**SAGINAW COUNTY BOARD OF COMMISSIONERS**

**Michael J. Hanley, Chair**

**Yeas:** - Katie A. Greenfelder, Cheryl M. Hadsall, Michael J. Hanley, Kirk W. Kilpatrick, Dennis H. Krafft, Susan A. McInerney, Carl E. Ruth, Charles M. Stack, James G. Theisen, Robert M. Woods, Jr., Patrick A. Wurtzel - **11**

**Nays:** - **0**

**Absent:** - **0**

**TOTAL: 11**

STATE OF MICHIGAN        }  
                                      } ss  
COUNTY OF SAGINAW     }

I, the undersigned, the duly qualified and acting County Clerk of the County of Saginaw, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Saginaw County Board of Commissioners at a regular meeting held on the 15th day of October, 2013. I further certify that notice of the meeting was given pursuant to and in compliance with Act No. 267, Michigan Public Acts of 1976, as amended.

**IN WITNESS WHEREOF**, I have hereunto affixed my official signature and seal this 15th of October, 2013.



Susan Kaltenbach, Clerk  
County of Saginaw

**SEAL**